

1
2
3
4
5
6
7 ELIZABETH KARNAZES,
8 Plaintiff,
9 v.
10 AMERICAN AIRLINES, INC.,
11 Defendant.

Case No. 19-cv-05754-WHO

**ORDER TO SHOW CAUSE FOR
FAILURE TO PROSECUTE**

Re: Dkt. No. 13

12
13 Pro se plaintiff Elizabeth Karnazes originally filed this suit in San Francisco County
14 Superior Court on August 18, 2016, but defendant American Airlines, Inc. (“American Airlines”)
15 was not served until August 15, 2019, when Karnazes filed a First Amended Complaint (“FAC”).
16 Notice of Removal (“NOR”) [Dkt. No. 1]. On September 13, 2019, American Airlines removed
17 to this court and subsequently filed a motion to dismiss the FAC. *See Motion to Dismiss, to*
18 *Strike, or for More Definitive Statement as to Plaintiff’s First Amended Complaint (“MTD”)* [Dkt.
19 No. 13]. [

20 Since then, parties stipulated to continue the motion twice. [Dkt. Nos. 19, 24]. After
21 issuing an order to show cause on February 11, 2020, I granted Karnazes’ request to continue a
22 third time due to medical reasons. [Dkt. No. 35]. I extended her deadline to respond to the MTD
23 to June 3, 2020 and moved the hearing to June 24, 2020.

24 She has failed to timely oppose the motion. According to American Airlines, on June 1,
25 2020, she asked defense counsel for a stay of the action until mid-December 2020 due to medical
26 concerns and her intended surgeries. *See Defendant’s Notice of Non-Opposition to Motion to*
27 *Dismiss, to Strike or For More Definitive Statement* [Dkt. No. 37]. Defense counsel asks that I
28 dismiss this case, or alternatively dismiss and/or strike sections of her FAC.

Before I rule on American Airlines' request, Karnazes is ORDERED TO SHOW CAUSE by June 19, 2020 why this case should not be dismissed for failure to prosecute. She can satisfy the Order To Show Cause by filing her opposition to the motion to dismiss by June 19, 2020. I note that due to the COVID-19 virus, all civil law and motion hearings are conducted telephonically or by videoconference. Prosecuting this case would not require in-person attendance at this time.

If she opposes, American Airlines may file a reply on or before June 26, 2020 and the hearing is reset for July 15, 2020.

IT IS SO ORDERED.

Dated: June 5, 2020


William H. Orrick
United States District Judge

United States District Court
Northern District of California